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EXAMINER	
AMIN, JWALANT B	

ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
12/03/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/500,260	BEARDOW, PAUL	
	Examiner	Art Unit	
	JWALANT AMIN	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 November 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *139-147,157-174,184-192 and 194-208* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *139-147,157-174,184-192,194-208* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/13/2009 has been entered.

Specification

2. The amendment to the specification filed 10/19/2009 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 139-147, 157-174, 184-192 and 194-208 have been considered but are moot in view of the new ground(s) of rejection.

4. Regarding claims 139, 157, 166, 184, 197, 201 and 205, the applicant argues that the cited references fail to teach "... a wireless communication device creating a text message that includes an image representative code sequence having ... at least one animation property" that "relates to movement of the at least one part image along a trajectory" (see pg. 16-17).

5. However, the examiner interprets that Mochizuki, in view of Ludtke and further in view of Cubbage teaches the above limitation. Please refer to the rejection of claim 139 for details.

6. Regarding claim 142, the applicant argues none of the cited reference teach "... wherein the movement of the at least one part image includes changing trajectory to simulate bouncing from boundary" (see pg. 18).

7. However, the examiner interprets that Mochizuki, in view of Ludtke, in view of Cubbage, and further in view of Kirschner teaches the above limitation. Please refer to the rejection of claim 142 for details.

8. Regarding claim 143, the applicant further argues none of the cited reference teach "... wherein the trajectory includes a curved path" (see pg. 18).

9. However, the examiner interprets that Mochizuki, in view of Ludtke and further in view of Cubbage teaches the above limitation. Please refer to the rejection of claim 143 for details.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 139-141, 143-147, 157-159, 163-169, 171-174, 184-187, 190-196 and 209-210 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochizuki et al. (US 6044248, hereinafter Mochizuki), in view of Ludtke (US 6377276, hereinafter Ludke), and further in view of Cubbage et al. (US 6606486, hereinafter Cubbage).

12. Regarding claim 139, Mochizuki teaches a method of assembling an animated image (fig. 7), said method comprising:

a communication device (selective call receiver comprising a control processor) receiving input indicative of (fig. 7, col. 6 lines 57-col. 7 line 13):

a set of part images (the teacup-shaped pattern and the heart-shaped pattern are selected) (fig. 7, fig, 8, fig. 10, col. 7 lines 38-45, col. 8 lines 55-67; it should be noted that figs. 4A and 4B display a plurality of part images);

a set of position values indicative of positions (the displaying area location L1, L2, L3 and L4 to be occupied by different image data as shown in figs. 6A-6C) to be occupied in the animated image for one or more part images in said set of part images (fig. 4C, fig. 5, figs. 6A-6C, fig. 8, fig. 10, col. 7 lines 38-67, col. 8 lines 55-67); and

at least one animation property (image switching period is the animation property that switches between two images after a period of time) for at least one part image in said set of part images (fig. 8, col. 7 lines 51-67);

the communication device creating a text message (edited message S217, fig. 7) that includes an image representative code sequence having information indicative of the set of part images (1st GIC and 2nd GIC), the set of position values (graphic image code for each displaying location as shown in fig. 5/GIL field in fig. 8), the at least one animation property (the animation property is image switching period); wherein the text message is usable (analyzing a message) by a device receiving text message (col. 1 line 64-col. 2 line 10, col. 5 line 48-col. 6 line 6) to display the set of part images

according to the set of position values, and the specified at least one animation property; and

the communication device sending (selective call receiver having a transmission function transmits the edited message, fig. 7) the text message to the device (selective call receiving having a receiving function) (col. 1 lines 55-63, col. 3 lines 44-50, col. 7 lines 13-28).

Although Mochizuki teaches the limitations as stated, Mochizuki does not explicitly teach a set of position values (position P0, P1, P2 and P3 as indicated in fig. 8) indicative of positions to be occupied in the animation image for one or more part images (object 120) and the at least one animation property (speed) relates to movement of the at least one part image along a trajectory (fig. 7, fig. 8; it should be noted that speed of the object and the position data relates to the movement of the object along a trajectory as shown in fig. 8). However, Ludtke teaches exactly the same (fig. 7, fig. 8, col. 10 lines 5-20). Therefore, it would have been obvious to one of the ordinary in the skill of the art at the time of present invention to substitute the animation property as taught by Ludtke for the switching period animation property of Mochizuki because such a substitution would have yielded predictable results.

Although Mochizuki and Ludtke teach the limitations as stated, they do not explicitly teach the image representative code sequence includes the set of position values and the at least one animation property. However, it should be noted that Ludtke's speed and position data associated with the animation property of the object (moving along a trajectory) can be included in the modified the message code of

Mochizuki. Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to modify the message code sequence of Mochizuki and include information regarding the position and speed of the object because such a message can be decoded to display the animation.

Although Mochizuki and Ludtke teach the limitations as stated, they do not explicitly teach the text message (SMS) has a character limit (160 characters) and the communication device is a wireless communication device (mobile station 100 (mobile phone)). However, Cubbage teaches exactly the same (fig. 1, col. 2 lines 13-17, col. 3 lines 1-4 and lines 10-11, col. 5 lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to use a wireless communication device to send text messages with a 160 characters limit as taught by Cubbage and apply it into the method of Mochizuki and Ludtke because the ability to send text messages is a powerful means of communication (col. 2 lines 27-28).

13. Regarding claim 140, although Mochizuki teaches the limitations as stated, Mochizuki does not explicitly teach the at least one animation property is selected from the group consisting of a center of rotation, a rotation angle, a linear speed velocity, a spin axis and an angular velocity. However, Ludtke teaches a speed value associated with the each of the legs of the path of the object (fig. 7, fig. 8, col. 10 lines 5-20; speed corresponds to linear velocity). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of present invention to use speed of an object as taught by Ludtke and apply it into the method of Mochizuki because associated speed of the object gives the appearance of slowing down and speed up along the path (col.

10 lines 11-13). Moreover, it would have been obvious to one of ordinary skill in the art at the time of present invention to use animation properties such as center of rotation, a rotation angle, a spin axis, and an angular velocity because these known properties are associated with the angular movement of an object.

14. Regarding claim 141, although Mochizuki and Ludtke teach the limitations as stated, they do not explicitly teach the text message is a short message service message (SMS). However, Cubbage teaches exactly the same (col. 5 lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to send text message using the SMS as taught by Cubbage and apply it into the method of Mochizuki and Ludtke because the SMS is a very quick and powerful means of communication using a cellular phone.

15. Regarding claim 143, although Mochizuki teaches the limitations as stated, Mochizuki does not explicitly teach the trajectory includes a curved path. However, Ludtke teaches exactly the same (fig. 8, col. 9 lines 65-67, col. 10 lines 5-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to use a curve path as taught by Ludtke and apply it into the method of Mochizuki because curved path allows more complex motions (col. 9 lines 65-67).

16. Regarding claim 144, Mochizuki teaches the text message further includes text elements (fixed sentence info and free message code) usable by the device receiving the text message to display text, and wherein character length of the text elements (fixed sentence info and free message code) and the character length of the image sequence (Graphic Image Info) together forms the text message. It should be further

noted that Cubbage teaches the text message (SMS) has a character limit (160 characters) (refer to the rejection of claim 139 above). Therefore, it is implicit that the character length of the image sequence plus the character length of the text elements is less or equal to character limit of the text message, and thus the character length of the text elements is character limit of the text message less the character length of the image representative code sequence.

17. Regarding claims 145 and 146, Mochizuki and Ludtke do not teach the limitations as claimed, however Cubbage teaches to use a mobile phone (cellular phone system, fig. 1). Moreover, it would have been obvious to one of ordinary skill in the art at the time of present invention to use a mobile phone or a personal digital assistant as the choice of wireless communication device because these devices are readily available means for wireless communication and are very convenient to use.

18. Regarding claim 147, Mochizuki teaches the receiving device is selected from the group consisting of: a computer (control processor, fig. 1), a personal digital assistant and a mobile telephone. Moreover, it would have been obvious to one of ordinary skill in the art at the time of present invention to use a mobile phone or a personal digital assistant as the choice of receiver because these devices are readily available means for wireless communication and are very convenient to use.

19. Regarding claim 157, Mochizuki teaches a method for receiving and assembling an animated image (fig. 7, col. 1 lines 55-63), said method comprising

a communication device (selective call receiver comprising a control processor) receiving a text message that includes an image representative code sequence (fig. 8, figs. 9A-D, fig. 10, col. 5 line 48-col. 6 line 6, col. 7 lines 29-67, col. 8 lines 1-24);

the wireless communication device using the image representative code sequence to determine (checks for the presence or absence of the graphic image expansion code GIE) (col. 8 lines 1-24):

a set of part images (the teacup-shaped pattern and the heart-shaped pattern are selected) (fig. 7, fig, 8, fig. 10, col. 7 lines 38-45, col. 8 lines 55-67; it should be noted that figs. 4A and 4B display a plurality of part images);

a set of position values indicative of positions (the displaying area location L1, L2, L3 and L4 to be occupied by different image data as shown in figs. 6A-6C) to be occupied in the animated image for one or more part images in said set of part images (fig. 4C, fig. 5, figs. 6A-6C, fig. 8, fig. 10, col. 7 lines 38-67, col. 8 lines 55-67); and

at least one animation property (image switching period is the animation property that switches between two images after a period of time) for at least one part image in said set of part images (fig. 8, col. 7 lines 51-67);

the wireless communication device assembling and displaying the animated image (synthetic image consisting of two or more images) said animated image (col. 1 lines 55-63) according to the set of part images, the set of position values, and the at least one animation property (figs. 8, fig. 10, col. 8 lines 1-24 and lines 55-67).

Although Mochizuki teaches the limitations as stated, Mochizuki does not explicitly teach a set of position values (position P0, P1, P2 and P3 as indicated in fig. 8)

indicative of positions to be occupied in the animation image for one or more part images (object 120) and the at least one animation property (speed) relates to movement of the at least one part image along a trajectory (fig. 7, fig. 8; it should be noted that speed of the object and the position data relates to the movement of the object along a trajectory as shown in fig. 8). However, Ludtke teaches exactly the same (fig. 7, fig. 8, col. 10 lines 5-20). Therefore, it would have been obvious to one of the ordinary in the skill of the art at the time of present invention to substitute the animation property as taught by Ludtke for the switching period animation property of Mochizuki because such a substitution would have yielded predictable results.

Although Mochizuki and Ludtke teach the limitations as stated, they do not explicitly teach the image representative code sequence includes the set of position values and the at least one animation property. However, it should be noted that Ludtke's speed and position data associated with the animation property of the object (moving along a trajectory) can be included in the modified the message code of Mochizuki. Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to modify the message code sequence of Mochizuki and include information regarding the position and speed of the object because such a message can be decoded to display the animation.

Although Mochizuki and Ludtke teach the limitations as stated, they do not explicitly teach the text message (SMS) has a character limit (160 characters) and the communication device is a wireless communication device (mobile station 100 (mobile phone)). However, Cubbage teaches exactly the same (fig. 1, col. 2 lines 13-17, col. 3

lines 1-4 and lines 10-11, col. 5 lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to use a wireless communication device to send text messages with a 160 characters limit as taught by Cubbage and apply it into the method of Mochizuki and Ludtke because the ability to send text messages is a powerful means of communication (col. 2 lines 27-28).

20. Claims 158-159, 163-165 and 195-196 are similar in scope to claims 140-141 and 143-147, and therefore the examiner gives the same reasons as above.

21. Claims 166-168 are 171-174 are similar in scope to claims 139-141, 144-147, and therefore the examiner gives the same reasons as above.

22. Claims 184-187, 190-192 and 194 are similar in scope to claims 157-160, 163-165 and 145-146, and therefore the examiner gives the same reasons as above.

23. Claims 197-200, 205-208 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochizuki, in view of Ludtke, and further in view of Cubbage.

24. Regarding claims 197, 199, 205 and 207, Mochizuki teaches a device comprising:

an input interface (fig. 1) configured to receive selection information indicative of an animated image (fig. 7, col. 6 lines 57-col. 7 line 13);

a processor (control processor) coupled to the input interface (keypad) (fig. 1), wherein:

the processor is configured to cause the device to create a text message (edited message S217, fig. 7) that includes an image representative code sequence that is

indicative of the selection information (fig. 7, fig. 8, fig. 10, col. 7 lines 38-67, col. 8 lines 55-67);

the text message is usable by another mobile telephone to display the animated image in accordance with the selection information (fig. 7, fig. 8, fig. 10, col. 7 lines 38-67, col. 8 lines 55-67; it should be noted that Mochizuki teaches the invention for both receiving and transmitting functions with a single device, however also states the message can be transmitted through a subscriber telephone line and therefore it is inherent that it is received by some device at the other end); and

a transmission interface (transmission data generator/transmitter, fig. 1) coupled to the processor, the transmission interface being configured to send the text message to a receiving device (fig. 7, col. 1 line 55-col. 2 line 10, col. 3 lines 44-50, col. 5 line 48-col. 6 line 6, col. 7 lines 13-28; selective call receiver having a transmission function transmits the edited message).

Although Mochizuki teaches the limitations as stated, Mochizuki does not explicitly teach data (associated speed and positions of the object) relating to the movement of at least a portion of the animated image along a trajectory (fig. 7, fig. 8; it should be noted that speed of the object and the position data relates to the movement of the object along a trajectory as shown in fig. 8), and to display the image in accordance with the movement of the portion of the animated image (fig. 8). However, Ludtke teaches exactly the same (fig. 7, fig. 8, col. 10 lines 5-20). Therefore, it would have been obvious to one of the ordinary in the skill of the art at the time of present invention to substitute the animation property as taught by Ludtke for the switching

period animation property of Mochizuki because such a substitution would have yielded predictable results.

Although Mochizuki and Ludtke teach the limitations as stated, they do not explicitly teach the image representative code sequence includes data relating to the at least one animation property. However, it should be noted that Ludtke's speed and position data associated with the animation property of the object (moving along a trajectory) can be included in the modified the message code of Mochizuki. Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to modify the message code sequence of Mochizuki and include information regarding the position and speed of the object because such a message can be decoded to display the animation.

Although Mochizuki and Ludtke teach the limitations as stated, they do not explicitly teach the text message (SMS) has a character limit (160 characters) and the transmission device and the other telephone device is a wireless communication device such as a mobile phone (mobile station 100 (mobile phone)). However, Cubbage teaches exactly the same (fig. 1, col. 2 lines 13-17, col. 3 lines 1-4 and lines 10-11, col. 5 lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to use a wireless communication device to send text messages with a 160 characters limit as taught by Cubbage and apply it into the method of Mochizuki and Ludtke because the ability to send text messages is a powerful means of communication (col. 2 lines 27-28).

25. Claims 200 and 208 are similar in scope to claims 143 and 144, and therefore the examiner gives the same reasons as above.

26. Regarding claim 201, Mochizuki teaches a device comprising:

a wireless reception interface (radio receiver 101, fig. 1) configured to receive a text message that includes an image representative code sequence (fig. 8, figs. 9A-D, fig. 10, col. 5 line 48-col. 6 line 6, col. 7 lines 29-67, col. 8 lines 1-24), wherein:

the image representative code sequence is indicative of an animated image (checks for the presence or absence of the graphic image expansion code GIE) (col. 8 lines 1-24);

a processor (control processor, fig. 1) coupled to the wireless reception interface, the processor being configured to determine the image representative code sequence from the text message (checks for the presence or absence of the graphic image expansion code GIE) (col. 8 lines 1-24); and

a display interface (display) coupled to the processor, the display interface being configured to display the animated image (synthetic image consisting of two or more images) in accordance with the image representative code sequence (fig. 7, col. 1 line 55-col. 2 line 10, col. 3 lines 44-50, col. 5 line 48-col. 6 line 6, col. 7 lines 13-28).

Although Mochizuki teaches the limitations as stated, Mochizuki does not explicitly teach animated image (object 120) includes at least a portion that moves along a specified path (fig. 8). However, Ludtke teaches exactly the same (fig. 7, fig. 8, col. 10 lines 5-20). Therefore, it would have been obvious to one of the ordinary in the skill of the art at the time of present invention to display an image moving along a specified

path (curves) as taught by Ludtke and apply into the method of Mochizuki because such paths allow more complex motions (col. 9 lines 65-67).

Although Mochizuki and Ludtke teach the limitations as stated, they do not explicitly teach the image representative code sequence is indicative of an animated image that includes at least a portion that moves along a specified path. However, it should be noted that Ludtke's speed and position data associated with the animation property of the object (moving along a trajectory) can be included in the modified the message code of Mochizuki. Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to modify the message code sequence of Mochizuki and include information regarding the position and speed of the object because such a message can be decoded to display the animation.

Although Mochizuki teaches the limitations as stated, Mochizuki does not explicitly teach the text message (SMS) has a character limit (160 characters) and the reception device and the other telephone device is a wireless communication device such as a mobile phone (mobile station 100 (mobile phone)). However, Cubbage teaches exactly the same (fig. 1, col. 2 lines 13-17, col. 3 lines 1-4 and lines 10-11, col. 5 lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to use a wireless communication device to send text messages with a 160 characters limit as taught by Cubbage and apply it into the method of Mochizuki because the ability to send text messages is a powerful means of communication (col. 2 lines 27-28).

27. Claims 202-204 are similar in scope to claims 198-200, and therefore the examiner gives the same reasons as above.

28. Regarding claims 206, Mochizuki teaches the selection information comprises one or more part images (the teacup-shaped pattern and the heart-shaped pattern are selected) of the animated image, and one or more animation properties (image switching period is the animation property that switches between two images after a period of time; the image switching period is to be selected value selected from three values (0 to 2)) of the animated image (fig. 7, fig, 8, fig. 10, col. 7 lines 38-67, col. 8 lines 55-67).

29. Claims 161-162, 170, 188 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochizuki, in view of Ludtke, in view of Cubbage, and further in view of Haataja (US 6137836).

30. Regarding claims 161 and 162, although the combination of Mochizuki, Ludtke and Cubbage disclose the claimed limitations as stated, they do not explicitly teach the step of obtaining said set of part images from a server in a network, wherein the network comprises a mobile telephone network. However, Haataja teaches a remote station (network) with a computer (server) that transmits composite image of a plurality of primitive pictures (set of part images) to a portable communicator (cellular telephone) (fig. 3, figs. 8-10, col. 6 lines 30-67, col. 7 lines 20-26, col. 8 lines 6-42; the remote station transmitting telephony signals for a cellular telephone corresponds to a mobile telephone network). Therefore, it would have been obvious to one of ordinary skill in the

art at the time of present invention to obtain primitive images from a server in a network as demonstrated by Haataja and use it into the method and apparatus of Mochizuki, Ludtke and Cubbage because obtaining the pictorial data of an image as a set of simplified composite part images of different primitive pictures reduces the required transmission bandwidths and is transmitted rapidly due to relatively few symbols required for transmission of the pictorial data (col. 2 lines 1-14).

31. Claim 170 is similar in scope to claim 161, and therefore the examiner gives the same reasons as above.

32. Claims 188 is similar in scope to claims 161, and therefore the examiner gives the same reasons as above.

33. Claims 142, 160, 169 and 198 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochizuki, Ludtke, Cubbage, and further in view of Kirschner et al. (US 4026555, hereinafter Kirschner).

34. Regarding claim 142, Mochizuki, Ludtke and Cubbage do not explicitly teach the movement (movement on the screen) of the at least one part image (ball) includes changing trajectory to simulate bouncing from a boundary (bouncing off the boundaries). However, Kirschner teaches exactly the same (col. 4 lines 18-26). Therefore, it would have been obvious to one of ordinary skill in the art at the time of present invention to use the teachings of Kirschner as above and apply into the method of Mochizuki, Ludtke and Cubbage because such a method can be used to deflect the ball anywhere on the screen (col. 4 lines 18-26).

35. Regarding claim 160, Mochizuki teaches the image representative code sequence includes compacted codes (figs. 9A-D, fig. 10). Please refer to the rejection of claim 142 for details regarding rejection of the limitation "wherein the moving the at least one part image includes changing direction to simulate bouncing from a boundary".

36. Claim 169 is similar in scope to claim 142 and therefore the examiner gives the same reasons as stated above.

37. Regarding claims 198, Mochizuki teaches the selection information comprises one or more part images (the teacup-shaped pattern and the heart-shaped pattern are selected) of the animated image, and one or more animation properties (image switching period is the animation property that switches between two images after a period of time; the image switching period is to be selected value selected from three values (0 to 2)) of the animated image (fig. 7, fig, 8, fig. 10, col. 7 lines 38-67, col. 8 lines 55-67). Please refer to the rejection of claim 142 for details regarding "wherein the movement of the portion of the animated image includes simulating the portion changing direction in response to contacting an object or boundary".

38. Claim 189 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mochizuki, in view of Ludtke, in view of Cubbage, in view of Haataja, and further in view of Kirschner.

39. Claim 189 is similar in scope to claims 142 and 161 and therefore the examiner gives the same reasons as stated above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JWALANT AMIN whose telephone number is (571)272-2455. The examiner can normally be reached on 10:30 a.m. - 7:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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